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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICK YOCKEY and PEARL MAGPAYO, individually and on behalf of all others similarly situated,

Plaintiffs,

V.

SALESFORCE, INC.,

Defendant:

Case No. 4:22-CV-09067-JST

**STIPULATION AND [PROPOSED]
ORDER SETTING BRIEFING
SCHEDULE ON DEFENDANT'S
MOTION TO DISMISS AND
CONTINUING CASE MANAGEMENT
CONFERENCE [L.R. 6-1(b)]**

Hon. Jon S. Tigar

Date Action Filed: December 21, 2022
Trial Date: N/A

1 Pursuant to Civil Local Rule 6-1(b), Plaintiffs Patrick Yockey and Pearl Magpayo
2 (“Plaintiffs”) and Defendant Salesforce, Inc., by and through their attorneys of record, stipulate
3 and agree as follows:

4 WHEREAS, on December 21, 2022, Plaintiff Yockey filed his Complaint on December
5 21, 2022 (ECF No. 1);

6 WHEREAS, Plaintiffs filed their First Amended Complaint on March 31, 2023 (ECF
7 No. 22);

8 WHEREAS, Defendant filed its Motion to Dismiss on April 24, 2023 (ECF No. 23);

9 WHEREAS, Plaintiffs’ response to Defendant’s Motion to Dismiss is presently due on
10 May 8, 2023;

11 WHEREAS, Defendant’s reply in support of its Motion to Dismiss is presently due on
12 May 15, 2023;

13 WHEREAS, the Initial Case Management Conference is scheduled for June 27, 2023
14 (ECF No. 21);

15 WHEREAS, the Parties’ counsel met and conferred and agreed to a briefing schedule on
16 Defendant’s Motion to Dismiss and to a new date for the Initial Case Management Conference, to
17 effectuate the parties’ agreement that “any hearing on Defendant’s motion to dismiss Plaintiffs’
18 Amended Complaint should occur before the Initial Case Management Conference” (ECF No.
19 21);

20 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, subject to the Court’s
21 approval, as follows:

- 22 1. Plaintiffs’ response to Defendant’s Motion to Dismiss shall be due on May 31, 2023.
- 23 2. Defendant’s reply in support of its Motion to Dismiss shall be due on June 28, 2023.
- 24 3. The hearing on Defendant’s Motion to Dismiss shall remain on July 27, 2023 at 2:00
25 p.m.
- 26 4. The Initial Case Management conference shall be continued to August 1, 2023 at 2:00
27 p.m.

28 IT IS SO STIPULATED.

1 Dated: April 28, 2023

BURSOR & FISHER, P.A.

2 By: /s/ L. Timothy Fisher
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10 Attorneys for Plaintiffs

11 Dated: April 28, 2023

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24 Attorneys for Defendant
25 SALESFORCE, INC.
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ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

By: /s/ L. Timothy Fisher
L. Timothy Fisher

[PROPOSED] ORDER

After reviewing the Parties' Stipulation Setting Briefing Schedule on Defendant's Motion to Dismiss and Continuing Initial Case Management Conference and good cause appearing, the Court orders as follows:

1. Plaintiffs' response to Defendant's Motion to Dismiss shall be due on May 31, 2023.
 2. Defendant's reply in support of its Motion to Dismiss shall be due on June 28, 2023.
 3. The hearing on Defendant's Motion to Dismiss shall remain on July 27, 2023 at 2:00 p.m.
 4. The Initial Case Management conference shall be continued to ~~August 1~~, 2023 at 2:00 p.m.

September 19

IT IS SO ORDERED.

Dated: May 2, 2023

JON S. TIGAR
United States District Judge